



GAU 3673

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Pre-amendment
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4/18/01

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
FRANCESCO A. CRUPI) Group Art Unit: 3673
Serial No.: 09/592,398) Examiner: A. Pechhold
Filed: June 13, 2000) Attorney Docket No.: 50063.0000-1
For: MIXING APPARATUS AND)
METHOD FOR BLENDING MILLED)
ASPHALT WITH REJUVENATING)
FLUID)

RECEIVED

PRELIMINARY AMENDMENT

APR 18 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

TO 3600 MAIL ROOM

Sir:

Prior to the examination of the captioned patent application, please amend the captioned application as follows and consider the subsequent remarks. The Commissioner is hereby expressly authorized to charge any additional fees which may be required, as a result of this document, to Deposit Account No. 50-0858.

IN THE SPECIFICATION:

Please replace the paragraph beginning at page 9, line 4 and extending to page 9, line 9, with the following rewritten paragraph:

--Rejuvenating fluid may be added at various points in the resurfacing process. Preferably rejuvenating fluid should be added to the milled material prior to its entering the pug mill 100. This may be accomplished by adding rejuvenating fluid at or before the main mill 36 or ahead of the pug mill inlet 108. The latter arrangement is illustrated in Figure 3 which shows a spray bar 150 for directing rejuvenating fluid at or ahead of the pug mill inlet 108.--

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IN THE CLAIMS:

Please add the following new claim:

--11. A method as claimed in claim 7 wherein:

said rejuvenating fluid is added to said milled material ahead of said pug mill.--

REMARKS

Claim 11 is added by this document and accordingly, claims 1-11 are pending in the application. Support for the addition of new claim 11 is provided in the application as filed including Fig. 3 of the drawings and the following excerpt from the Specification:

"Rejuvenating fluid may be added at various points in the resurfacing process. Preferably rejuvenating fluid should be added to the milled material prior to its entering the pug mill 100. This may be accomplished by adding rejuvenating fluid at or before the main mill 36 or ahead of the pug mill inlet 108. The latter arrangement is illustrated in Figure 3 which shows a spray bar 150 for directing fluid at or ahead (as amended) of the pug mill inlet 108."

In view of the foregoing, it is respectfully submitted that no new matter has been added by the addition of new claim 11. Accordingly, Examiner's approval of the addition of new claim 11 is respectfully requested and the Examiner is respectfully requested to examine new claim 11 with the remaining pending claims for the captioned application. Also, it is noted that claim 11 has been added to supplement the set of claims as originally filed, and not in response to any rejection of the originally-filed claims, as the captioned application has not yet been examined.

The paragraph of the Specification which begins at page 9, line 4 has been amended at line 8 so that lines 8-9 now read "... ahead of the pug mill inlet 108" instead of "... head of the pug mill inlet 108." The foregoing amendment to the Specification is consistent with, and supported by, the remainder of the paragraph of the Specification which begins at page 9, line 4. In view of the foregoing, it is respectfully submitted that no new matter has been added by the foregoing amendment to the Specification and Examiner's approval of this amendment is respectfully requested.

Attached hereto is a marked-up version of the changes to the Specification and claims by the current Preliminary Amendment. The attached page is captioned "Version With Markings to Show Changes Made for Patent Application Serial No. 09/592,398".

In the event the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

Butler, Snow, O'Mara, Stevens
& Cannada, PLLC

April 10, 2001
Date

By: Bradley D. Beck
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, on April 10, 2001 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Bradley D. Beck
BRADLEY D. BECK

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**VERSION WITH MARKINGS TO SHOW CHANGES
MADE FOR PATENT APPLICATION SERIAL NO. 09/592,398**

IN THE SPECIFICATION:

The paragraph beginning at page 9, line 4 has been amended as follows:

Rejuvenating fluid may be added at various points in the resurfacing process. Preferably rejuvenating fluid should be added to the milled material prior to its entering the pug mill 100. This may be accomplished by adding rejuvenating fluid at or before the main mill 36 or ahead of the pug mill inlet 108. The latter arrangement is illustrated in Figure 3 which shows a spray bar 150 for directing rejuvenating fluid at or [head] ahead of the pug mill inlet 108.

IN THE CLAIMS:

New claim 11 has been added as follows:

--A method as claimed in claim 7 wherein:

said rejuvenating fluid is added to said milled material ahead of said pug mill.--

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